

JS 44C/SDNY
REV. 4/2014

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

JUL 16 2014

PLAINTIFFS
BSI MORTGAGE IV LLC

JUDGE SEIBEL ET AL

ATTORNEYS (FIRM NAME, ADDRESS AND TELEPHONE NUMBER)
 The Margolin & Weinreb Law Group, LLP
 165 Eileen Way, Suite 101
 Syosset, NY 11791 (516)945-6055

DEFENDANTS
 PAUL LUPO, AND JOHN DOE "1" through "12", said persons or parties having or claimed to have a right, title or interest in the Mortgaged premises herein, their respective names are presently unknown to the Plaintiff

ATTORNEYS (IF KNOWN)

14 CV 5346

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)
 (DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

New York Real Property Actions and Proceedings Law, Section 1301 et seq., to foreclose on a mortgage

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? Yes Judge Previously AssignedIf yes, was this case Vol. Invol. Dismissed. No Yes If yes, give date _____ & Case No. _____

IS THIS AN INTERNATIONAL ARBITRATION CASE?

No Yes (PLACE AN IN ONE BOX ONLY)

NATURE OF SUIT

		TORTS	ACTIONS UNDER STATUTES			
CONTRACT	PERSONAL INJURY	PERSONAL INJURY [] 367 HEALTHCARE/PHARMACEUTICAL PERSONAL INJURY/PRODUCT LIABILITY [] 310 AIRPLANE [] 315 AIRPLANE PRODUCT LIABILITY [] 320 ASSAULT, LIBEL & SLANDER [] 330 FEDERAL EMPLOYERS' LIABILITY [] 340 MARINE LIABILITY [] 345 MARINE PRODUCT LIABILITY [] 350 MOTOR VEHICLE LIABILITY [] 355 MOTOR VEHICLE PRODUCT LIABILITY [] 360 OTHER PERSONAL INJURY [] 362 PERSONAL INJURY - MED MALPRACTICE [] 483 ALIEN DETAINEE [] 510 MOTIONS TO VACATE SENTENCE 28 USC 2255 [] 530 HABEAS CORPUS [] 535 DEATH PENALTY [] 540 MANDAMUS & OTHER [] 440 OTHER CIVIL RIGHTS (Non-Prisoner)	FORFEITURE/PENALTY [] 625 DRUG RELATED SEIZURE OF PROPERTY [] 365 PERSONAL INJURY PRODUCT LIABILITY [] 368 ASBESTOS PERSONAL INJURY PRODUCT LIABILITY [] 370 OTHER FRAUD [] 371 TRUTH IN LENDING [] 380 OTHER PERSONAL PROPERTY DAMAGE [] 385 PROPERTY DAMAGE [] 710 FAIR LABOR STANDARDS ACT [] 720 LABOR/MGMT RELATIONS [] 751 FAMILY MEDICAL LEAVE ACT (FMLA) [] 790 OTHER LABOR LITIGATION [] 791 EMPL RET INC SECURITY ACT PRISONER CIVIL RIGHTS [] 441 VOTING [] 442 EMPLOYMENT [] 443 HOUSING/ACCOMMODATIONS [] 445 AMERICANS WITH DISABILITIES - EMPLOYMENT [] 446 AMERICANS WITH DISABILITIES - OTHER [] 448 EDUCATION	BANKRUPTCY [] 422 APPEAL 28 USC 158 [] 423 WITHDRAWAL 28 USC 157 PROPERTY RIGHTS [] 820 COPYRIGHTS [] 830 PATENT [] 840 TRADEMARK SOCIAL SECURITY [] 861 HIA (1395f) [] 862 BLACK LUNG (923) [] 863 DWIC/DIWV (405(g)) [] 864 SSID TITLE XVI [] 865 RSI (405(g)) FEDERAL TAX SUITS [] 1870 TAXES (U.S. Plaintiff or Defendant) [] 1871 IRS-THIRD PARTY 26 USC 7609 IMMIGRATION [] 462 NATURALIZATION APPLICATION [] 465 OTHER IMMIGRATION ACTIONS	OTHER STATUTES [] 375 FALSE CLAIMS [] 400 STATE REAPPORTIONMENT [] 410 ANTITRUST [] 430 BANKS & BANKING [] 450 COMMERCE [] 460 DEPORTATION [] 470 RACKETEER INFLUENCED & CORRUPT ORGANIZATION ACT (RICO) [] 480 CONSUMER CREDIT [] 490 CABLE/SATELLITE TV [] 850 SECURITIES/COMMODITIES/EXCHANGE [] 890 OTHER STATUTORY ACTIONS [] 891 AGRICULTURAL ACTS [] 893 ENVIRONMENTAL MATTERS [] 895 FREEDOM OF INFORMATION ACT [] 896 ARBITRATION [] 899 ADMINISTRATIVE PROCEDURE ACT/REVIEW OR APPEAL OF AGENCY DECISION [] 950 CONSTITUTIONALITY OF STATE STATUTES	
[] 110 INSURANCE [] 120 MARINE [] 130 MILLER ACT [] 140 NEGOTIABLE INSTRUMENT [] 150 RECOVERY OF OVERPAYMENT & ENFORCEMENT OF JUDGMENT [] 151 MEDICARE ACT [] 152 RECOVERY OF DEFOLTED STUDENT LOANS (EXCL VETERANS) [] 153 RECOVERY OF OVERPAYMENT OF VETERAN'S BENEFITS [] 160 STOCKHOLDERS SUITS [] 190 OTHER CONTRACT [] 195 CONTRACT PRODUCT LIABILITY [] 196 FRANCHISE						
REAL PROPERTY						
[] 210 LAND CONDEMNATION [] 220 FORECLOSURE [] 230 RENT LEASE & EJECTMENT [] 240 TORTS TO LAND [] 245 TORT PRODUCT LIABILITY [] 290 ALL OTHER REAL PROPERTY						

Check if demanded in complaint:

 CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.? IF SO, STATE:

DEMAND \$ _____ OTHER _____ JUDGE _____ DOCKET NUMBER _____

Check YES only if demanded in complaint
JURY DEMAND: YES NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

(PLACE AN X IN ONE BOX ONLY)

<input checked="" type="checkbox"/> 1 Original Proceeding	<input type="checkbox"/> 2 Removed from State Court	<input type="checkbox"/> 3 Remanded from Appellate Court	<input type="checkbox"/> 4 Reinstated or Reopened	<input type="checkbox"/> 5 Transferred from (Specify District)	<input type="checkbox"/> 6 Multidistrict Litigation	<input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judge Judgment
<input type="checkbox"/> a. all parties represented						
<input type="checkbox"/> b. At least one party is pro se.						

(PLACE AN X IN ONE BOX ONLY)

<input type="checkbox"/> 1 U.S. PLAINTIFF	<input type="checkbox"/> 2 U.S. DEFENDANT	<input type="checkbox"/> 3 FEDERAL QUESTION	<input checked="" type="checkbox"/> 4 DIVERSITY (U.S. NOT A PARTY)
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IF DIVERSITY, INDICATE CITIZENSHIP BELOW.

CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF <input type="checkbox"/> 11 <input checked="" type="checkbox"/> 11	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF DEF <input type="checkbox"/> 13 <input checked="" type="checkbox"/> 13	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF <input type="checkbox"/> 15 <input checked="" type="checkbox"/> 15
CITIZEN OF ANOTHER STATE	<input type="checkbox"/> 12 <input checked="" type="checkbox"/> 2	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	<input type="checkbox"/> 14 <input checked="" type="checkbox"/> 4	FOREIGN NATION	<input type="checkbox"/> 16 <input checked="" type="checkbox"/> 16

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

BSI MORTGAGE IV LLC
 2500 Hallandale Beach Blvd., PH 10
 Hallandale Beach, FL 33009
 Broward County

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

Paul Lupo
 12 Downesbury Court
 Ridgefield, Connecticut 06877
 Fairfield County

John Doe "1" through "12"
 17 Schuyler Terrace
 Bronx, New York 10465
 Bronx County

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

Check one: THIS ACTION SHOULD BE ASSIGNED TO: WHITE PLAINS MANHATTAN
 (DO NOT check either box if this is a PRISONER PETITION/PRISONER CIVIL RIGHTS COMPLAINT.)

DATE 7/9/14 SIGNATURE OF ATTORNEY OF RECORD

ADMITTED TO PRACTICE IN THIS DISTRICT
 [] NO
 YES (DATE ADMITTED Mo. 07 Yr. 2012)
 Attorney Bar Code #AW9361

RECEIPT #

Magistrate Judge is to be designated by the Clerk of the Court

MAG. JUDGE SMITH

Magistrate Judge _____ is so Designated.

Ruby J. Krajick, Clerk of Court by _____ Deputy Clerk, DATED _____.

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)